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WALL & TONG, LLP/ ALCATEL-LUCENT USA INC. 25 James Way Eatontown, NJ 07724			EXAMINER CHOO, MUNSOON	
			ART UNIT 2617	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/573,832

Applicant(s)

GIDRON ET AL.

Examiner

MUNSOON CHOO

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/20/2010 and 12/29/2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 36-54 and 56-68 is/are rejected.
- 7) ☒ Claim(s) 55 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3-29-2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ ~~Notice of Informal Patent Application~~
- 6) ☐ Other: _____

DETAILED ACTION

1. In view of the Appeal Brief filed on 12/29/2009, PROSECUTION IS HEREBY REOPENED. New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "A service platform with a plurality of modules that provides a plurality of services over the cellular network".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 36-54 and 56-68 rejected under 35 U.S.C. 102(e) as anticipated by Kloba (US 2002/0052916).

Re claim 36 and 45, Kloba discloses: Apparatus (Fig 1A: server 104) providing a platform for the provision of services over a cellular telephone network (P [112]: offers channels (services) to clients; P [50], Table 2: cellular phones, the cellular network services), the apparatus comprising

Kloba discloses: an infrastructure for supporting a generic definition of a cellular service (P [101]: The server maintains/supports a collection of channels generally, said “collection of channels” can be defined as “generic definition” incorporating many common/general/generic services/channels. Note: “Said collection of channels” is a collection of general/generic channels; see P [50] for cellular service), said generic definition incorporating common features of different services (P [101]: Said “Collection of channels”

incorporating many common channels. Channels can be common services such as application, services, images, movies, music),

Kloba discloses: said generic definition being able to take specific service-defining parameters (Fig 13: When user enters text to search for movies, said server can receive said text and using the movie channel from the collection of channels to provide “find movie service”) (Note: “Collection of channels” can take the “user text in find movie” (define movie channel) so that it can provide movies to the user instead of providing images) (Note: Server has a “collection of channels”, see P [101], the server is able to take specific parameters such as images, services, movies)

Kloba discloses: wherein the infrastructure facilitates the delivery of multiple content types to different devices (P [101]: objects (images, movies) to the client) using different protocols (fig. 1v: sync/wireless protocol; P [334]: WAP protocol; fig 18: IP protocol; P [50]: cellular protocol); and

Kloba discloses: a an external parameter setting mechanism for inputting (Fig 13: enter text to search. The text is parameter, and it defines the service as find movies) respective service defining parameters to said generic definition (Fig 13, P [101]: Base on the user text inputted into the “collection of channels” (in server), it can determine that it will provide movies to the user instead of providing images, thus movie channels are selected from the “collection of channels”), thereby to implement a desired service through said generic definition (Fig 13, P

[101]: the desired service of providing movies (channel/service) to the user is implemented, and the movie channel is pulled from (through) the “collection of channels”],

Kloba discloses: said generic definition (services are provided from the channel, and the channel is one of the “collection of channels”, see P [101]; thus teaches service/channel/”collection of channels” includes consideration of...) includes consideration of resource constraints of the different devices (fig. 4A: device type support of 1-10, device type support of 1, 4 and 7, device support detect; P [284]: the process includes only kinds of content supported by various devices/clients).

Re claim 51, Kloba discloses: A method for managing (P [313]: a user or administrator can add (manage) a website to the user’s list of channels; fig 1C; fig 5k: user may create, modify or remove channels; P [111]: managing channels) a content delivery interface (fig 1A: server communication module and client communications module; fig 1c; ref 160B) between a content provider (fig 1A: content provider) and a subscriber wireless communication device (fig 1A: client device), the method comprising:

Kloba discloses: providing a plurality of modules for the content delivery interface (P [101], [121]: server has the “collection of channels” for the content delivery interface, wherein channels are services/functions/modules. Note: module is a unit that is combinable with other units, see “module. PDF”, and channel is a unit that is combinable with other units, and said combination can become “collection of channels”),

Kloba discloses: each module for providing content as part of a different service (P [101]; channel has one service of providing images, and another service of providing movies, thus Kloba has one channel module for providing images, and another channel module for providing movies) wherein delivery of multiple content types to different devices (P [101]; objects (images, movies) to the client) using different protocols is facilitated (fig. 1v: sync/wireless protocol; P [334]; WAP protocol; fig 18; IP protocol; P [50]; cellular protocol);

Kloba discloses: providing a generic definition of said service (P [101]: The server maintains/supports a collection of channels generally, said “collection of channels” can be defined as “generic definition” incorporating many common services/channels. Note: Said “collection of channel” is a collection of general/generic channels), said generic definition incorporating common features of different services (P [101]: Said “Collection of channels” incorporating many common channels. Channels can be common services such as application, services, images, movies, music);

Kloba discloses: selecting an appropriate one of said modules for the content delivery interface according to a currently desired service (Fig 13: current desired service is movies, then the “movies” channel/module is selected accordingly for delivery (see e.g. in the “find movies”)) and said generic definition (Fig 13: finding (selecting movie channel/module) the movies service/channel according to the available of movie channels in the collection of channels).

See P [101] where collection of channels have movies channels, otherwise, said “finding movies” channel/service/module won’t be available);

Kloba discloses: wherein said generic definition **(services are provided from the channel, and the channel is one of the “collection of channels”, see P [101]; thus teaches service/channel/”collection of channels” includes consideration of...)** includes consideration of resource constraints of the different devices **(fig. 4A: device type support of 1-10, device type support of 1, 4 and 7, device support detect; P [284]: the process includes only kinds of content supported by various devices/clients); and**

Kloba discloses: adding said appropriate module to the content delivery interface **(Fig 13: Movies channel/module is added to the interface to be delivered to users for viewing (as a function of “finding movies”))**, thereby to provide said currently desired service from a platform that supports a plurality of services **(Fig. 13: To provide finding movies channel).**

Re claim 62, Kloba discloses: A service delivery platform **(P [112]: offers channels to clients)** for an interface **(fig 1A: server communication module and client communications module; fig 1c: ref 160B)** between a content provider **(fig 1A: content provider)** and a wireless communication device **(fig 1A: client device)**, comprising:

Kloba discloses: a plurality of services for being provided to the wireless communication device by the content provider **(P [112]: offers a plurality of channels to clients, said channels are**

provided by content provider, see fig 1A: content provider);

Kloba discloses: an infrastructure for supporting a generic definition (P [101]: The server maintains/supports a collection of channels generally, said “collection of channels” can be defined as “generic definition” incorporating many common/general/generic services/channels. Note: “Said collection of channels” is a collection of general/generic channels) of a cellular service (P [50], Table 2: cellular phones, thus the cellular services), said generic definition incorporating common features of different services (P [101]: Said “Collection of channels” incorporating many common channels. Channels can be common services such as application, services, images, movies, music;

Kloba discloses: a service controller for receiving a request for a service from the wireless communication device (Fig 5A ref 508: User wants (requests) to add channel(s), thus receives said user’s request) and for activating said service according to a service logic (Fig 5: allowing (activating) user to add channel according to a logic of “adding featured channels” or “explore and add channels”) and said generic definition (Fig 13: finding (will require selecting movie channel/module) the movies service/channel according to the available of channels in the collection of channels (see P [101]: collection of channels have movies channels, otherwise, said “finding movies” channel won’t be available. Therefore, teaches receives said “find movies” request according to the (available of movies channel in the collection) collection of channels;

Kloba discloses: wherein said service logic comprises at least one rule for determining at least one of whether and how said service is to be provided **(Fig 5A: determining (how user wants to add channel) that user wants to add featured channel or determining that user wants to explore and add channel);** and

Kloba discloses: a service framework, configured to enable ones of said services to be added, removed or changed **(Fig. 5K: user may create, modify or remove channels; fig 1AB, bottom left: add channel, remove channel).**

Re claim 37 and 46, Kloba discloses: The apparatus of claim 36, wherein said generic definition comprises an ability to select between one of a plurality of levels of complexity of content presentation according to a determined capability level of a receiving telephone.

(claim interpretation only: There are a plurality levels of content presentations, for example, image content can be presented as an image in JPEG format, movie content can be presented as “movie” in MPEG format, and JPEG and MPEG are different format/“level of presentation”)

(P [284], Fig 4A: When one device can only support (1) PDF reader and (8) Font files, then said device receives only PDF file and Font files from the server. Therefore, the “collection of channels” from the server can select the “PDF” format of a plurality of other formats/“levels of presentation” to the receiving phone that can receive PDF format. Note: Said “collection of channels” includes many other formats such as AVI, MP3, etc.)

Re claim 38 and 47, Kloba discloses: The apparatus of claim 36, carrying a plurality of services each defined using **(P [101]: “collection of channels” has a plurality of channels/services, see**

P [103]-[104] where channel can be defined with a name)

said generic service **(Fig. 5k, 45, P [442]: By using the “collection of channels” the user can create a channel, to name/define said channel and then to add said channel into said “collection of channels”. Note that said “collection of channels” are needed in order to go through this process of creating a channel into said “collection of channels”)**

and different service defining parameters **(P [440], fig. 45: “title” of the channel is defining said channel/service)(Thus, discloses there is a plurality of services in the “collection of channels”, wherein each of the channels has been named/defined before being added into said “collection of channels”)**

and providing each service as a separate module **(P [101]: movie channel/service belong one module and music channel belongs to a separate module)** sharing a common interface **(fig 1A: server communication module and client communication module);**

Re claim 39 , Kloba discloses: The apparatus of claim 36, configured to allow a plurality of services to be defined using different service-defining parameters applied to said generic service **(Fig 5K, 45, P [440]: Channels/services can be defined using different texts/parameters, wherein said defined channels can be added (applied) into the collection of channels).**

Re claim 40 and 48, Kloba discloses: The apparatus of claim 36, further comprising a rule engine **(Fig 45: has rule to define channel size and channel refresh rate, thus teaches rule engine; Note: figure 45 is related to channel and it has rule engine; P [141]: scripting/rule engine)** together with said generic definition **(P [111]-[112]: the channel of the**

user is in the “collection of channels” in the server, thus user’s channel is together with “collection of channels”), for operating logic required for said desired service (Fig. 45: logic to define/customize how a channel is displayed) by implementing ones of said service defining parameters that are logical rules (Fig. 45: 100, location/URL are parameters that define/customize channel/service, and said parameters are logical rules for the channel).

Re claim 41 and 49, Kloba discloses: The apparatus of claim 36, further comprising an external parameter obtaining mechanism to obtain external parameters for modifying application of a respective desired service to a user (P [313], [317]: user/administrator can input parameter for the channel setting and save/modify the channel/application (see P [101]: application), said channel is a respective desired service to said user).

Re claim 42 and 50, Kloba discloses: The apparatus of claim 41, wherein said external parameter is location of a respective mobile telephone, and wherein said modifying comprises modifying said application in accordance with a respective location (P [142]: the external parameter can be an input of the address into the address book of the application. Therefore, adding/modifying the application in accordance with said respective address; P [378]: user’s address/location).

Re claim 43, Kloba discloses: The apparatus of claim 36, comprising a plurality of modules, each module carrying said generic definition (P [101]: “collection of channels” has a plurality of channels/modules. Images, music and movies have different arrangement of parameters) together with a different arrangement of parameters, thereby to combine different services within said platform (P [101]: “collection of channels” combine many channels/services such as images/movies).

Re claim 44, Kloba discloses: The apparatus of claim 43, being able to support additional services by the incorporation of additional modules **(P [31]: adding channel/service/module into the “collection of channels”, wherein said added channel/module provide new service; P [118]: The server may include additional modules).**

Re claim 52, Kloba discloses: The method of claim 51, wherein said adding said appropriate one of said modules **(Fig. 46, ref 4602, left side: create/add channel/module)** comprises providing a functional alteration for the content delivery interface **(Fig. 46 ref 4602: By adding Google channel, ref 4602 becomes different/alterd when viewed by the user. Note: the entire fig. 46 is the content (delivery) interface)** for interacting with the wireless communication device **(Note: when server’s interface is interacting with the device’s interface, fig 46 becomes the content/server interface being viewed by the user)**, according to said currently desired service **(Fig 46, ref 4602: creating channel is a current desired service).**

Re claim 53, Kloba discloses: The method of claim 52, wherein said functional alteration comprises a change to a flow of interaction between the content delivery interface and the wireless communication device **(Fig 46: the entire figure is an interface that provide a flow of interaction between the content delivery interface and the user device. After adding Google channel to ref 4602, then the flow of interaction has been changed, it is because now the user can view/click on said Google channel, or to delete said Google channel).**

Re claim 54, Kloba discloses: The method of claim 52, wherein said functional alteration comprises a change to the look and feel of the content delivery interface at the wireless communication device **(Fig. 46: After adding Google channel to ref 4602, then the user can**

see a new added Google channel, and it will change the look and feel of the figure 46. Said figure 46 is the content delivery interface being viewed by user at the user device).

Re claim 56, Kloba discloses: The method of claim 52, wherein said functional alteration comprises a change in a respective service (fig. 46 ref 4602: creating a new channel causes a change in the list of channels) according to an identity of a subscriber (Fig. 1M: user (has identity) of client selects channel, and said channel is now provided to said user, but not others), a service package of said subscriber (Fig. 46 ref 4602, fig. 1M: a new channel is added to a list of channels, wherein said list of channels is a package of service/channel, thus teaches service package), a preference of said subscriber (Fig. 46-47: user preference of the channel can be Yahoo! Or Google) and a type of wireless communication device (P [284]: only kinds of content supported by various devices).

Re claim 57, Kloba discloses: The method of claim 56, wherein said change comprises dynamic adaptation of the service (Fig. 46-47: After a channel is created, it is added/adapted to the list of channel automatically/dynamically),

optionally including at least one of:

matching the output format and presentation to the device type (P [284]: only kinds of content supported by various devices);

filtering of content, based on at least one of permissions, compatibility to the

device, subscriber preferences, and content classification; selection of a language; dynamic flow;

and adjustment of delivery protocol based on the content type and the device.

Re claim 58, Kloba discloses: The method of claim 52, comprising

providing each module with a generic service definition (**Fig. 45: Channel is provided with a general (service) definition, wherein said channel can be defined as “Yahoo !”**) and customizing ones of said modules (**Fig. 45-47: During the process of creating a channel, said channel can be customized with “channel size”. Channel being created can be Yahoo! Or Google**) for services it is desired to provide (**Fig. 45-47: When Yahoo! is the desired service**).

Re claim 59, Kloba discloses: The method of claim 58, wherein the content delivery interface further comprises a service directory (**P [101]: collection of channels/services**) for locating a service (**Fig. 5A: To locate a channel via “add featured channels” or “explore and add new channel”**), such that said adding said appropriate module (**Fig. 5A: add new channel**) further comprises altering a listing in said service directory (**P [111]: adding/altering channels to the “collection of channels”/“service directory”; P [112]: any combination/listings of the channels in the collection, the server maintains a list/listing of the channels associated with each clients, and said list of channels is stored in the “collection of channels”**) as necessary when a service is added, removed or altered (**Fig. 5A, P [111]**).

Re claim 60, Kloba discloses: The method of claim 58, wherein the content delivery interface further defines a presentation for providing an output of said service to the wireless communication device (**Fig 45-46: After the Yahoo! channel is added, then said Yahoo! channel is viewed/outputted to the user device. The Yahoo! channel presentation can be defined with channel size or channel refresh or location URL**).

such that said functional alteration comprises altering said presentation as necessary when a service is added, removed or altered (**Fig. 45: When creating a channel, customizing/altering the presentation is necessary, then said channel is created/added.**).

Re claim 61 (Previously Presented) The method of claim 58, wherein said functional alteration comprises altering a logic of said service (**Fig. 45: it has a logic of how a new channel should be displayed. For e.g. channel size of 100k and “No Include Images” is logic, and it influences how a channel is displayed.**).

Re claim 63, Kloba discloses: The delivery platform of claim 62, further comprising a service directory (**P [101]: “collection of channels”, see movies or music**) for listing ones of said services (**P [111]-[112]: client can view any combination/list of the channels in the collection**), and wherein said service controller is configured to search said service directory for said service upon receiving said request (**Fig. 13: user finds movies from the “collection of channels”, thus teaches the server receives said user search/service request, and will search in the “collection of channels (see P [101] for movies)” for movies.**).

Re claim 64, Kloba discloses: The delivery platform of claim 62, wherein said service comprises a plurality of operations to be performed (**Fig. 3A: has a plurality of operations to be performed until server sends updated content to client**), and a response to be returned to the wireless communication device (**Fig. 3A: server presents response to client**).

Re claim 65, Kloba discloses: The delivery platform of claim 64, further comprising a presentation for presenting said response of said service (**Fig. 3A, ref 334-336: server presents response to the client, wherein said response is related to the service of interactive content**).

Re claim 66, Kloba discloses: The delivery platform of claim 65, wherein said presentation comprises a presentation assembler for collecting data **(Fig. 3A: server collects data from both the client and the provider before sending/presenting the response to the client, thus teaches presentation assembler to assemble data for presenting the response to the client)** and preparing said data for said response to the wireless communication device **(Fig. 3A: server presents response to the client, wherein said response has data related to the interactive content, and said response has data/response from the provider).**

Re claim 67, Kloba discloses: The delivery platform of claim 62, wherein an operation of said service is performed **(Fig. 45-46: an operation of creating a channel is performed)** according to at least one rule **(Fig. 45-46: said creating a channel has rules to define the channel size or channel refresh rate).**

Re claim 68, Kloba discloses: The delivery platform of claim 67, further comprising a rule operation **(Fig. 45: has an operation or rule operation to create channel, and said channel will be displayed base on the defined rule, for e.g. channel size or channel refresh rate)** for constructing the condition for said rule **(Fig. 45: The channel has a condition of 100k channel size and refreshes on every sync. Said channel size and channel refresh parameters are the rules that define the condition of the channel. Thus teaches the condition of the channel for the channel's rule).**

Allowable Subject Matter

5. Claim 55 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 55, the prior art of record fails to disclose singly or in combination to render obvious that wherein said functional alteration comprises:

adding a new content type; adding a new content delivery protocol; Adding a new device and adjusting the user interface to its browser and its display characteristics; adding a new page; adding content bundles that include multiple content items; changing the look and feel of the service, including at least one of colors, fonts, icons, formatting and page layout; and changing parameters of the service.

Conclusion

NPL reference: Module. PDF;

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUNSOON CHOO whose telephone number is (571)270-7140, fax number is (571)-270-8140 and email is munsoon.choo@uspto.gov. The examiner can normally be reached on Monday through Friday 7:30am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Munsoon Choo/

Examiner, Art Unit 2617

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617

